

2 Broadway  
New York, NY 10004  
212 878-7000 Tel



**Metropolitan Transportation Authority**

State of New York

**VIA CERTIFIED MAIL No. 7017 1450 0000 2097 4579**

**Return Receipt Requested**

**& Via Email (diana.grasso@urw.com)**

March 2, 2022

Diana Grasso  
c/o Westfield, LLC  
One World Trade Center,  
Suite 46E  
New York, NY 10007

With copies to:

Geoff Mason  
Westfield World Trade Center  
One World Trade  
Floor 46, Suite E  
New York, NY 10007

Legal Department  
c/o Westfield, LLC  
2049 Century Park E  
Los Angeles, CA 90067

General Manager  
c/o Westfield, LLC  
Corbin Building  
11 John Street, 4<sup>th</sup> Floor  
New York, NY 10038

Re: **NYCT Master Account No., t0012107, Westfield Fulton Center, LLC**  
Lease Agreement dated May 16, 2014 ("Agreement") by and between Westfield Fulton Center, LLC  
("Tenant") and Metropolitan Transportation Authority ("Landlord" / "MTA") for Retail Space at  
Fulton Center, New York, NY ("Premises" / "Fulton Center")

Ms. Grasso,

This letter comes as a follow-up to recent discussions regarding the reopening of the public restrooms that currently remain closed at Fulton Center. As you are aware, pursuant to Section 5.7 of the Agreement, Tenant is responsible for operating two (2) public bathrooms located in the public circulation areas ("Restrooms") from 5:00 AM to 12:00 AM on a daily basis.

Pursuant to discussions between Tenant, New York City Transit Authority, NYPD, and MTA, Landlord has agreed to temporarily reduce the required hours of operation of the Restrooms in consideration of Tenant's security concerns mentioned below.

From the date of this letter, and by no later than March 15, 2022, both Restrooms shall remain open from 6:00 A.M. to 8:00 P.M. daily, with periodic closures of 30 minutes or less for cleaning purposes only, unless otherwise specified within Section 5.7. This temporary reduction of required operating hours will remain in place for a period of two (2) months after reopening, ending on May 15, 2022, at which time Tenant must resume regular operating hours unless otherwise noted.

Regarding the security concerns raised by Tenant surrounding the reopening of the Restrooms, it should be noted that prior to Tenant's closure of the Restrooms, in accordance with Landlord's responsibility for endeavoring to maintain public safety and security at the Fulton Center (excluding the Commercial Usage Areas) as outlined in Section 7.4 of the Agreement, Allied Security patrolled the Restroom located in the unpaid area on an hourly basis and regularly conducted unscheduled inspections and calls for service when requested by Tenant and

*The agencies of the MTA*

MTA New York City Transit  
MTA Long Island Rail Road

MTA Metro-North Railroad  
MTA Bridges and Tunnels

MTA Construction & Development  
MTA Bus Company

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Tenant's housekeeping contractors and staff. Presently, Allied Security officers are also assigned to patrol the paid area concourse where the second Restroom is located.

Upon Tenant's reopening of the Restrooms, Landlord agrees to the following additional security measures:

- Allied Security officers will patrol the Restroom located in the paid area concourse on the same hourly basis as was previously the case and will continue to be the case with the Restroom located in the unpaid area;
- Allied Security officers will be present during scheduled cleaning and maintenance of both Restrooms; and,
- NYPD officers will continue to regularly patrol these areas, with a focus on monitoring any disturbances or reports of security concerns inside the Restrooms.

**As with the temporary reduction of operating hours for the Restrooms detailed above, the additional security measures outlined in this letter should also be considered temporary and subject to changing conditions at Fulton Center.**

Landlord also recommends Tenant explore the following options for additional security, with a potential credit for actual costs incurred in the form of an offset against funds due to Landlord from Tenant Signage Revenues and Participation Rent pursuant to Sections 4.1 and 4.2 of the Agreement, respectively, subject to advanced review and approval by Landlord and submission of invoices verifying the cost of any additional security measures:

- Tenant may hire additional private security at the Center to provide assistance to housekeeping staff assigned by Tenant to clean and maintain the Restrooms; and
- Tenant may contract an NYPD Paid Detail Unit to augment security presence at the Center, including the areas where the Restrooms are located.

In accordance with the above, please immediately begin the process of reopening the Restrooms and advise of the anticipated date upon which both Restrooms will be reopened to the public.

Should you have any questions, please do not hesitate to contact Mr. Niko Sciocchetti of Greystone Management Solutions at (212) 330-7412.

Sincerely,  
Metropolitan Transportation Authority



David Florio  
Director, Real Estate Transactions and Operations

cc: M. Maldonado, *Unibail-Rodamco-Westfield* (Via email: [marco.maldonado@urw.com](mailto:marco.maldonado@urw.com))  
C. Bernazzoli, *Unibail-Rodamco-Westfield* (Via email: [christopher.bernazzoli@urw.com](mailto:christopher.bernazzoli@urw.com))  
G. Macias, *Unibail-Rodamco-Westfield* (Via email: [galo.macias@urw.com](mailto:galo.macias@urw.com))  
D. Folan, *Greystone Management Solutions*  
N. Sciocchetti, *Caminiti Consulting Co., Inc.*, a Greystone subcontractor